

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

SANDRA L. CULLUM; DEIRDRE SALEH,

Plaintiffs,

v.

WYNDHAM HOTELS & RESORTS CORP.;
WYNDHAM DESTINATIONS INC; GEOFFREY
A. BALLOTTI; WYNDHAM HOTELS (WH) &
RESORTS, INC.; ELISABETH GALE dba
WYNDHAM CORPORATE OFFICE &
HEADQUARTERS; BROADRIDGE
CORPORATE ISSUER SOLUTIONS,

Defendants.

22-CV-9700 (RA)

ORDER

RONNIE ABRAMS, United States District Judge:

On December 20, 2022, the Court ordered Plaintiffs to amend the complaint, and excused Defendants from their obligation to respond until after an amended complaint is filed. On December 23, 2022, Plaintiffs filed a letter seeking leave to move for default judgment against several of the Defendants in this action. Plaintiffs assert that they served Defendants by certified mail between November 25, 2022 and November 29, 2022, and that Defendants have not appeared or responded to the complaint.

In light of the Court's December 20, 2022 order to amend the complaint, Plaintiffs' request is denied. As directed in that order, Plaintiffs must amend the Complaint within 60 days of the date of the order, and Defendants are not required to respond to the original complaint. The Court also notes that service of process by certified mail is not permitted under the federal rules, and that Plaintiffs must serve Defendants consistent with Federal Rule of Civil Procedure 4. *See, e.g., Cassano v. Altshuler*, 186 F. Supp. 3d 318, 321 (S.D.N.Y. 2016) (noting that service on individuals by certified mail "is not permitted under the federal or applicable state rules"); *Conway v. Am. Red*

Cross, No. CV 10-1859 SJF ARL, 2010 WL 4722279, at *4 (E.D.N.Y. Nov. 15, 2010) (“Service on a corporation solely by certified mail, return receipt requested is insufficient.”).

Plaintiffs are further advised that they may wish to consult the New York Legal Assistance Group's legal clinic for *pro se* litigants by visiting its website at nylag.org/pro-se-clinic or by calling (212) 659-6190. This clinic, which is neither part of nor run by the Court, assists *pro se* litigants with federal civil cases.

SO ORDERED.

Dated: December 28, 2022
New York, New York

A handwritten signature in blue ink, appearing to read 'Ronnie Abrams', is positioned above a horizontal line.

Ronnie Abrams
United States District Judge